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9 *Attorney for Creditor*  
10 *US Bank Trust N.A., as Trustee of*  
11 *Igloo Series III Trust*

8 UNITED STATES BANKRUPTCY COURT  
9 DISTRICT OF NEVADA  
10 LAS VEGAS DIVISION  
11

12 In re:

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14 JOHNNY TARVER,

15 Debtor.  
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17  
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19  
20  
21  
22

CASE NO.: 19-12115-abl

Chapter 13

CONDITIONAL NON-OPPOSITION TO  
MOTION FOR AUTHORITY TO SELL  
REAL PROPERTY

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24 **TO ALL PARTIES IN INTEREST AND TO THEIR ATTORNEYS OF RECORD:**

25 US Bank Trust N.A., as Trustee of Igloo Series III Trust, its successors and/or assignees,  
26 (hereinafter "Secured Creditor"), in the above-entitled Bankruptcy proceeding, hereby submits the  
27 following conditional non-opposition to the motion for authority to sell the property generally  
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described as 1255 Kenwood Rd., Santa Barbara, CA 93109 (the " Property") filed by debtor Johnny Tarver [ECF No. 58].

On or about July 3, 2003, Debtor executed a Deed of Trust, encumbering the Property, recorded in the Official Records of Santa Barbara California on July 17, 2003, as Document No.: 2003-0095061. The Deed of Trust secured a Note signed by the Debtor with an original face value of \$300,000. Secured Creditor is the current holder of all right, title, and interest in the Note and Deed of Trust.

Debtor filed this Chapter 13 bankruptcy case on April 5, 2019. On March 18, 2020, the Debtor filed a motion seeking to sell the property for approximately \$950,000.00. [ECF no. 58]. The motion recites that the debtor presently owes approximately \$266,488 on the first mortgage and \$337,939 on the second mortgage on the property. After review of the Motion, the Secured Creditor has no opposition to the proposed sale of the Property on the condition that Secured Creditor receive its full payoff pursuant to an updated payoff statement through the sale closing date.

Thus, Secured Creditor files this conditional non-opposition to preserve its rights. Secured Creditor is only agreeable to the sale of the Property provided that the order provide that Secured Creditor shall receive its full payoff pursuant to an updated payoff statement good through the sale closing date. Further, Secured Creditor requests that any order authorizing the sale provide that Secured Creditor's lien attaches to the proceeds of the sale until such time as the Secured Creditor's lien is fully satisfied from the proceeds of sale.

GHIDOTTI | BERGER

DATED: March 25, 2020

By: /s/ Allison Schmidt, Esq.  
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Attorney for Creditor  
U.S. Bank Trust N.A., as Trustee of Igloo Series III Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA – LAS VEGAS DIVISION

In Re:	)	CASE NO.: 19-12115-abl
	)	
Johnny Tarver,	)	CHAPTER 13
	)	
Debtors.	)	<b>CERTIFICATE OF SERVICE</b>
	)	
	)	
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	)	
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**CERTIFICATE OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Ave., Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On March 26, 2020 I served the following documents described as:

- **CONDITIONAL NON-OPPOSITION TO MOTION FOR AUTHORITY TO SELL REAL PROPERTY**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

<b>Debtor</b> JOHNNY TARVER 1920 ASBURN DR. North Las Vegas, NV 89032	<b>Chapter 13 Trustee</b> KATHLEEN A. LEAVITT 711 SOUTH 4TH ST SUITE # 101 LAS VEGAS, NV 89101
<b>Debtor's Counsel</b> CHRISTOPHER PATRICK BURKE 218 S MARYLAND PKY. LAS VEGAS, NV 89101	

xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

       Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 26, 2020 at Santa Ana, California

/s / Jeremy Romero  
 Jeremy Romero